IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.4982 OF 2007.
IN
FIRST APPEAL NO.2155 OF 2007.

Shobha Subhash Dokare & Anr. ...Applicants.

Versus

Shankar Masu Dokare ...Respondent.

Shri Amit B. Borkar for the Applicants.

Shri S.S.Shah for the Respondent No.1.

CORAM : ABHAY S.OKA, J.
DATED : 26th November, 2007.

P.C.:

1. Heard Advocates appearing for the parties. The Application is filed by the Appellants in the First Appeal. As the First Appeal has been admitted for final hearing, the Respondent who is the original Plaintiff cannot be allowed to create third party interests without prior permission of this Court.

2. Though prayer (c) of this application cannot be granted, a limited relief will have to be granted in favour of the Applicants.

3. Civil Application is disposed of by passing following order:

(i) The prayer (c) is rejected.

(ii) Till the disposal of the Appeal, the Respondent is restrained from creating any third party interests in respect of suit property without obtaining a prior permission of this Court. If such Application for prior permission is made, the same will be decided in accordance with law.

(iii) There will be no order as to costs.

JUDGE